

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

FAMILY PENSION – Implementation of Hon'ble A.P.H.C. judgment dated 06-10-2009 in W.P.No.21194 of 2009 filed by Smt.D.Venkata Mahalakshmi, W/o Late D.Prakasa Rao, Lecturer in Economics, S.K.B.R.College, Amalapuram, E.G.District – Re-Fixation of Pension w.e.f 01-11-1992 as per the A.P.R.P.Rules, 1980 – Permission – Accorded – Orders – Issued.

HIGHER EDUCATION (CE-II-1) DEPARTMENT

G.O.Rt.No. 387

Dated 26th May, 2010

Read the following:-

1. A.P.High Court judgment dated 06-10-2009 in W.P.No.21194 of 2009.
2. From the C.C.E., A.P., Hyd., Lr.Rc.No.749/P3/2009, dated 15-02-2010.

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ORDER: -

Smt.D.Venkata Mahalakshmi, W/o Late D.Prakasa Rao, Lecturer (Economics), S.K.B.R.College, Amalapuram, E.G.District., has filed W.P.No.21194/2009 in the Hon'ble A.P.High Court, with a plea to re-fix her family pension w.e.f. 01-11-1992, as per A.P.Revised Pension Rules, 1980 in terms of A.P.Aided Degree, Oriental and Junior Colleges Staff Pension Rules, 1993 and also to pay arrears and other attendant benefits.

2. The Hon'ble A.P.High Court in its judgment dated 06-10-2009 in W.P.No.21194 of 2009, while disposing the W.P. at the admission stage, has issued the following order: -

“ HAVING regard to the facts and circumstances of the case and particularly keeping in view that the petitioner's representation dated 24-06-2009 for re-fixation of family pension is pending, without expression any opinion on merits, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 24-06-2009 in the light of the decision of this Court in K.Gundachar's case, and pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of three weeks from the date of receipt of this order”.

3. The Commissioner of Collegiate Education, A.P., Hyderabad, in his letter 2nd read above has stated that Government in Memo.No.644/CE-II-1/2005, dated 13-02-2009, have issued orders to grant revised family pension notionally in respect of Smt.Santha Lakshmi, W/o Late M.V.Satyanarayana Rao & 8 others, as per the A.P.R.P.Rules, 1980 w.e.f. the date of their respective retirement taking into account the increase if any made from the date of retirement till 01-11-1992, as was done in case of Sri Gundachar and others, in compliance of A.P.High Court orders dated 07-03-2003 in W.P.No.1647/95. He contended that in the present case, similar relief is sought for by the petitioner and therefore requested the Government to issue necessary orders in the case of Smt.D.Venkata Mahalakshmi, W/o Late D.Prakasa Rao, Lecturer (Economics),

S.K.B.R.College, Amalapuram, as per the Hon'ble A.P.High Court orders dated 06-10-2009 in W.P.No.21194 of 2009.

4. Government have examined the matter in detail and accordingly hereby permit the Commissioner of Collegiate Education, A.P., Hyderabad, to re-fix the pension of Smt.B.Venkata Mahalakshmi, W/o Late D.Prakasa Rao, Lecturer (Economics), S.K.B.R.College, Amalapuram, notionally as per A.P. Revised Pension Rules, 1980 with effect of the date of her retirement taking into account the increase if any made from the date of retirement till 01.11.1992; {as was done in Memo. No. 501/CE.III.2/96-18, dated 11.6.99 implementing the directions /judgment of the Court delivered in W.P. Nos. 8665/96; 8722/96 and 12789/96 filed by Sri K. Gundachar and 22 others} in compliance of A.P.High Court orders dated 06-10-2009 in W.P.No.21194 of 2009.

5. The Service Register of the individual in original is enclosed herewith.

6. The Commissioner of Collegiate Education, A.P., Hyderabad, shall take necessary further action in the matter.

7. This order issues with the concurrence of Finance (Pension-I) Department vide their U.O.No.9846/121/A1/PEN-I/10, dated 19-04-2010

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Commissioner of Collegiate Education, A.P., Hyderabad. [w.e.] [Original S.R]
The Correspondent, S.K.B.R.College, Amalapuram, East Godavari District.
The Accountant – General, A.P., Hyderabad.

Copy to:-

The Regional Joint Director of Collegiate Education, Rajahmundry.
The Government Pleader for Higher Education, A.P.High Court, Hyderabad.
The P.S. to Hon'ble M(H.E).
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER